

CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1584

AN ACT

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3 To repeal sections 84.720 and 590.750, RSMo, section
4 559.600 as enacted by senate bill no. 491, ninety-
5 seventh general assembly, second regular session, and
6 section 559.600 as enacted by house bill no. 1550,
7 ninety-fourth general assembly, second regular session,
8 and to enact in lieu thereof three new sections
9 relating to private entities providing public safety
10 services, with an existing penalty provision.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
14 AS FOLLOWS:

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16 Section A. Sections 84.720 and 590.750, RSMo, section
17 559.600 as enacted by senate bill no. 491, ninety-seventh general
18 assembly, second regular session, and section 559.600 as enacted
19 by house bill no. 1550, ninety-fourth general assembly, second
20 regular session, are repealed and three new sections enacted in
21 lieu thereof, to be known as sections 84.720, 559.600, and
22 590.750, to read as follows:

23 84.720. 1. The police commissioners of any city with a
24 population of three hundred fifty thousand or more inhabitants
25 which is located in more than one county shall have power to

1 regulate and license all private security personnel and
2 organizations, serving or acting as such in such cities, and no
3 person or organization shall act in the capacity of, or provide,
4 security services in such cities without first having obtained
5 the written license of the president or acting president of the
6 police commissioners of such cities.

7 In order to determine an individual's suitability to be licensed,
8 the police commissioners of such cities shall require each
9 applicant to be licensed to be fingerprinted and shall forward
10 the fingerprints to the Missouri state highway patrol for a
11 criminal history record check. Any person or organization that
12 violates the provisions of this section is guilty of a class B
13 misdemeanor.

14 2. Any individual who is a holder of an occupational
15 license issued by the Missouri gaming commission as defined under
16 section 313.800 to perform the duties of an unarmed security
17 guard while working on an excursion gambling boat as defined
18 under section 313.800 or at a facility adjacent to an excursion
19 gambling boat shall be exempt from the requirements of subsection
20 1 of this section and from any other political subdivision
21 licensing requirements for unarmed security guards.

22 559.600. 1. In cases where the board of probation and
23 parole is not required under section 217.750 to provide probation
24 supervision and rehabilitation services for misdemeanor
25 offenders, the circuit and associate circuit judges in a circuit
26 may contract with one or more private entities or other
27 court-approved entity to provide such services. The

1 court-approved entity, including private or other entities, shall
2 act as a misdemeanor probation office in that circuit and shall,
3 pursuant to the terms of the contract, supervise persons placed
4 on probation by the judges for class A, B, C, and D misdemeanor
5 offenses, specifically including persons placed on probation for
6 violations of section 577.023. Nothing in sections 559.600 to
7 559.615 shall be construed to prohibit the board of probation and
8 parole, or the court, from supervising misdemeanor offenders in a
9 circuit where the judges have entered into a contract with a
10 probation entity.

11 2. In all cases, the entity providing such private
12 probation service shall utilize the department of corrections'
13 standards and procedures with regard to drug and alcohol
14 screening for clients assigned to such entity.

15 3. In all cases, the entity providing such private
16 probation service shall not require the clients assigned to such
17 entity to travel in excess of fifty miles in order to attend
18 their regular probation meetings.

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15 their regular probation meetings.

16 590.750. 1. The department of public safety shall have the
17 sole authority to regulate and license all corporate security
18 advisors. Licensed corporate security advisors who are not also
19 commissioned by the department shall not have the power of arrest
20 for violations of the criminal code, except as otherwise provided
21 by law.

22 2. The director shall have the [sole] authority to
23 commission corporate security advisors. No person shall hold a
24 commission as a corporate security advisor without a valid peace
25 officer license. The director shall commission corporate
26 security advisors as he or she deems appropriate, taking into
27 consideration the education, training, and experience of each

1 individual in relation to the powers of peace officers and the
2 limitations on the powers of peace officers in regard to the
3 constitutional rights of citizens to be secure in their persons
4 and property. Each individual commissioned by the department
5 shall be issued a commission by the director of the department
6 and before entering into the performance of his or her duties
7 shall subscribe before the clerk of a circuit court of this state
8 an oath, in the form prescribed by Article VII, Section 11 of the
9 Constitution of Missouri, to support the Constitution and laws of
10 the United States and this state; to faithfully demean himself or
11 herself in the office; and to faithfully perform the duties of
12 the office. The executed oath of office, along with a copy of
13 the individual's commission, shall be filed with the director
14 until the commission is terminated or revoked.

15 3. The authority and jurisdiction of a corporate security
16 advisor shall be limited only by the geographical limits of the
17 state and then only when the corporate security advisor is on
18 duty, unless the corporate security advisor's license is
19 recognized by the laws or regulations of another state or the
20 federal government and then only when the corporate security
21 advisor is on duty.

22 4. The department shall establish a minimum amount of
23 liability insurance to be provided by the prospective or current
24 employer of the corporate security advisor, and require the
25 employer to provide a statement that the corporate security
26 advisor will be included in the policy as a named insured.

27 5. Acting as a corporate security advisor without a license

1 from the department of public safety is a class A misdemeanor.

2 6. The director may promulgate rules to implement the
3 provisions of this section under chapter 536 and section 590.190.

4 7. Any corporate security advisor licensed as of February
5 1, 2014, shall not be required to apply for a new license from
6 the department until the advisor's license expires or is
7 otherwise revoked.

8 8. All applications for corporate security advisor licenses
9 shall be made upon such forms and in such manner as the director
10 shall prescribe. The department shall charge a fee for issuance
11 of a license under this section in an amount, not to exceed two
12 hundred ten dollars, established by regulation promulgated in
13 accordance with the provisions of chapter 536.

14 9. Nothing in this section is intended to nor shall it be
15 construed as a waiver of sovereign immunity or the acknowledgment
16 or creation of any liability on the part of the state for
17 personal injury, death, or property damage. The department of
18 public safety and the director shall have immunity from civil
19 liability arising out of the commissioning of corporate security
20 advisors under this section.

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